

DENNIS J. HERRERA, State Bar #139669
City Attorney
CHERYL ADAMS, State Bar #164194
Chief Trial Attorney
BRADLEY A. RUSSI, State Bar #256993
Deputy City Attorney
Fox Plaza
1390 Market Street, Sixth Floor
San Francisco, California 94102-5408
Telephone: (415) 554-3964
Facsimile: (415) 554-3837
E-Mail: brad.russi@sfgov.org

Attorneys for Defendant, CITY AND COUNTY OF
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRIS SMITH,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, JOSEPH FILAMOR, and
DOES 1-25, inclusive

Defendants.

Case No. C-13-05185-KAW

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING DEADLINE FOR DEFENDANT
CITY TO RESPOND TO COMPLAINT AND
CONTINUANCE OF CASE MANAGEMENT
CONFERENCE**

The City and County of San Francisco has recently been served with the complaint in this matter. Counsel for the City is unavailable March 3-21, 2014. The City needs additional time to conduct an investigation into the incident alleged in the complaint. Further, the City has informed Plaintiff that the individual officer defendant named in the complaint had no involvement in the incident, and Plaintiff has represented that he will file an amended complaint. The parties stipulate and agree as follows:

1. Plaintiff will file an amended complaint on or before March 21, 2014;
2. Defendant City's response to the amended complaint will be due on or before April 11, 2014; and
3. The case management conference presently scheduled for April 15, 2014, will be continued to May 6, 2014, or the next available date convenient to the Court.

Dated: February 27, 2014

DENNIS J. HERRERA
City Attorney
CHERYL ADAMS
Chief Trial Deputy
BRADLEY A. RUSSI
Deputy City Attorneys

By: /s/ Bradley A. Russi
BRADLEY A. RUSSI

Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

Dated: February 27, 2014

KENNETH FRUCHT
GEONETTA & FRUCHT LLP

By: /s/ Kenneth Frucht
KENNETH FRUCHT
Attorney for Plaintiff
IRIS SMITH

~~[PROPOSED]~~ ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS HEREBY ORDERED as follows:

1. Plaintiff will file an amended complaint on or before March 21, 2014;
2. The City and County of San Francisco's answer to the amended complaint is due on or before April 11, 2014.
2. The case management conference presently scheduled for April 15, 2014, is continued to May 6, 2014, at 1:30 p.m., 1301 Clay Street, Oakland, CA 94612. A joint case management conference statement is due on or before April 29, 2014.

Dated: 2/28/14


HONORABLE KANDIS A. WESTMORE
UNITED STATES MAGISTRATE JUDGE